

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DIVISION OF TENNESSEE

TODD LACKIE AND )  
WIFE, ALICIA LACKIE, )  
 )  
Plaintiffs, )

VS. ) 2:11-CV-02181

E.I. DUPONT DE )  
NEMOURS AND COMPANY, )  
MIDSOUTH RAIL AND )  
CONSTRUCTION, LLC, )

Defendants. )

DEPOSITION

OF

SANDRA CHANDLER

March 21, 2012

**COPY**

MID-SOUTH REPORTING  
Pepper Glenn, CCR  
P. O. Box 609  
Southaven, Mississippi 38671  
(901) 525-1022

1 sure about that. But I know he had it after we  
2 got married, we got married in '85.

3 Q. Has it continuously been -- I'm  
4 tempted to say in the family but that is probably  
5 too broad, since '81?

6 A. Yes, it's been --

7 Q. Under various names?

8 A. Yes, my husband's company name and  
9 then my company name. Since we got married in  
10 '85.

11 Q. Despite the contracts and the language  
12 of the contract has the scope of the work been  
13 essentially the same, maintenance and repair of  
14 the tracks?

15 A. Essentially the same. It was -- we  
16 were called a residence which we were out there  
17 most every day as a residence and back in '09 --  
18 in '08 when all the budget cuts they made us as  
19 needed. So in March of '09 we just came in when  
20 Zelma would call us and tell us to come into  
21 work. We only did what she told us. If she said  
22 come into work, we would go anytime, day or  
23 night. John was on call 24 hours a day.

24 Q. What was your involvement with the

1 exception report dated on November 20, 2009 which  
2 James Banks says he got --

3 A. He would not have gotten that that day  
4 because we did not work out there that day. We  
5 did not work out there the 18th, 19th, 20th,  
6 23rd, 24th, 25th, 26th, 27th. We went back to  
7 work on the 30th. And that was a period of time  
8 where I was trying to call around and get Zelma  
9 to give us more work. But she did not call us  
10 until the 30th to come work.

11 Q. So, if he said he got on this, can you  
12 tell me on which dates it might have been that he  
13 would have addressed this issue that month?

14 A. First day he would have gone back to  
15 work would have been on the 30th, that would have  
16 been the only day, you know. We didn't never go  
17 out there and work unless she calls us. It's not  
18 like he goes out there and sees them or anything.

19 Q. So, if he testifies that he stops by  
20 her office and was out there --

21 A. I would not do that. He misunderstood  
22 something because he would not do that.

23 Q. Let's look at your calendar for  
24 January, the first two weeks of January. When do

1       you show you had crews out there at Dupont?

2           A.           First two weeks in January?

3           Q.           Right.

4           A.           We did not work out there at all the  
5 first -- we did not go back to work until the  
6 18th of January out there. We were out there on  
7 the 6th just getting our equipment ready for the  
8 snow because it snowed on the 7th. But we were  
9 not working out there.

10          Q.           All right. So, if Mr. James Banks  
11 said that he addressed the repair of the switch  
12 on the track exception report that was dated the  
13 13th of January, when would his earliest  
14 opportunity --

15          A.           The earliest time would have been on  
16 the 18th. We went back to work on the 18th out  
17 there.

18          Q.           Now, was anyone ever present to  
19 supervise James Banks and his crew for whom there  
20 is not a billing or a chart? In other words, did  
21 either you or Mr. Allen go out and supervise them  
22 in their work at Dupont and not charge?

23          A.           No.

24          Q.           And on the billings it would show, it

## C E R T I F I C A T E

STATE OF TENNESSEE:

COUNTY OF SHELBY:

I, PEPPER GLENN, Court Reporter  
and Notary Public, Shelby County, Tennessee,  
CERTIFY:

The foregoing proceedings were  
taken before me at the time and place stated in  
the foregoing styled cause with the appearances  
as noted.

Being a Court Reporter, I then  
reported the proceeding in Stenotype, and the  
foregoing pages contain a true and correct  
transcript of my said Stenotype notes then and  
there taken.

I am not in the employ of and am  
not related to any of the parties or their  
counsel, and I have no interest in the matter  
involved.

I further certify that in order  
for this document to be considered a true and  
correct copy, it must bear my original signature  
and that any reproduction in whole or in part of  
this document is not authorized and not to be  
considered authentic.

Witness my signature this the 30<sup>th</sup>  
day of March, 2012.

Pepper Glenn  
PEPPER GLENN, CCR

Notary Public at Large  
For the State of Tennessee  
My Commission Expires:  
October 18, 2014